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Summary record of the 32nd meeting
Held at Headquarters, New York, on Monday, 8 May 2017, at 10 a.m.

Chair: Mr. Pretterhofer (Vice-Chair) ..... (Austria)
Chair of the Advisory Committee on Administrative and Budgetary Questions: Mr. Ruiz Massieu

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In the absence of Ms. King (Saint Vincent and the Grenadines), Mr. Pretterhofer (Austria), Vice-Chair, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 115: Appointments to fill vacancies in subsidiary organs and other appointments (*continued*)

(a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions (*continued*) (A/71/101/Rev.1/Add.2)

1. **The Chair** drew attention to the note by the Secretary-General (A/71/101/Rev.1/Add.2) informing the General Assembly of the resignation of Ms. Catherine Vendat (France) from the Advisory Committee on Administrative and Budgetary Questions with effect from 29 April 2017, and requesting the Assembly to appoint a person to fill the vacancy for the remaining period of the term of office, which would expire on 31 December 2019.

2. The Government of France had nominated Mr. Olivier Myard, whose candidature had been endorsed by the Group of Western European and Other States, to fill the vacancy for the remaining period of the term of office.

3. *The Committee decided, by acclamation, to recommend to the General Assembly the appointment of Mr. Olivier Myard (France) to membership of the Advisory Committee for a term of office beginning on the date of his appointment and ending on 31 December 2019.*

(b) Appointment of members of the Committee on Contributions (*continued*) (A/71/102/Rev.1/Add.2)

4. **The Chair** drew attention to the note by the Secretary-General (A/71/102/Rev.1/Add.2) informing the General Assembly of the resignation of Mr. Fu Daopeng (China) from the Committee on Contributions with effect from 17 April 2017, and requesting the Assembly to appoint a person to fill the vacancy for the remaining period of the term of office, which would expire on 31 December 2017.

5. The Government of China had nominated Ms. Zhang Wei, whose candidature had been endorsed by the Group of Asia-Pacific States, to fill the vacancy for the remaining period of the term of office.

6. *The Committee decided, by acclamation, to recommend to the General Assembly the appointment of Ms. Zhang Wei (China) to membership of the Committee on Contributions for a term of office beginning on the date of her appointment and ending on 31 December 2017.*

(d) Appointment of members of the International Civil Service Commission (*continued*) (A/71/104/Add.1)

7. **The Chair** drew attention to the note by the Secretary-General (A/71/104/Add.1) informing the General Assembly of the resignation of Mr. Sergey Garmonin (Russian Federation) from the International Civil Service Commission with effect from 1 April 2017, and requesting the Assembly to appoint a person to fill the vacancy for the remaining period of the term of office, which would expire on 31 December 2020.

8. The Government of the Russian Federation had nominated Mr. Vladimir Storozhev, whose candidature had been endorsed by the Group of Eastern European States, to fill the vacancy for the remaining period of the term of office.

9. *The Committee decided, by acclamation, to recommend to the General Assembly the appointment of Mr. Vladimir Storozhev (Russian Federation) to membership of the International Civil Service Commission for a term of office beginning on the date of his appointment and ending on 31 December 2020.*

Agenda item 149: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

Triennial review of the rates and standards for reimbursement to Member States for contingent-owned equipment (A/71/802 and A/71/872; A/C.5.71/20)

Activities of the Office of Internal Oversight Services on peace operations for the period from 1 January to 31 December 2016 (A/71/337 (Part II))

Special measures for protection from sexual exploitation and abuse: a new approach (A/71/818, A/71/818/Corr.1, A/71/818/Add.1 and A/71/867)

10. **Ms. Buttenheim** (Assistant Secretary-General for Field Support), introducing the report of the Secretary-General on the triennial review of the rates and standards for reimbursement to Member States for contingent-owned equipment (A/71/802), said that the contingent-owned equipment system had been adopted by the General Assembly in its resolution 50/222 to simplify the procedures for determining reimbursement to Member States for such equipment. The

reimbursement rates, procedures and standards were reviewed every three years by the Working Group on Contingent-Owned Equipment, which made recommendations to the General Assembly. Once approved, the recommendations were reflected in the Manual on Policies and Procedures Concerning the Reimbursement and Control of Contingent-Owned Equipment of Troop/Police-Contributors Participating in Peacekeeping Missions.

11. The Working Group had met in New York in January 2017 Its meetings were an opportunity to reflect on contemporary peacekeeping challenges and associated updates to the framework for and management of contingent-owned equipment. Over one hundred issue papers had been submitted for consideration by the Working Group, more than double the number submitted in 2011 and 2014, which reflected the growing recognition of the importance of the Working Group and its recommendations and the increasing challenges facing peacekeeping operations and peacekeepers in the field.

12. The financial implications of implementing the Working Group's recommendations, which were contained in its report (A/C.5/71/20), were estimated at $13.595 million. The Working Group had recommended a net increase of 0.6 per cent in the rates of reimbursement for contingent-owned equipment and self-sustainment, at a cost of $5.5 million annually. It had also recommended expanding the criteria and lowering the threshold for reimbursement for equipment lost or damaged in hostile action and introducing reimbursement for the maintenance of equipment committed to the rapid deployment level of the Peacekeeping Capability Readiness System. Other recommendations were intended to introduce internationally recognized environmental and health standards, facilitate rapid deployment and strike a balance between the fairness of the reimbursement system and the affordability of United Nations peacekeeping.

13. **The Chair** drew the Committee's attention to a letter dated 8 February 2017 from the Chair of the Working Group on Contingent-Owned Equipment to the Chair of the Fifth Committee (A/C.5.71/20).

14. **Ms. Mendoza** (Under-Secretary-General for Internal Oversight Services), introducing the report of the Office of Internal Oversight Services (OIOS) on its activities on peace operations for the period from 1 January to 31 December 2016 (A/71/337 (Part II)), said that OIOS had issued 249 oversight reports relating to peace operations in 2016. They included 528 recommendations, 27 of which had been classified as critical.

15. During the reporting period, the Internal Audit Division had continued to conduct thematic audits to identify systemic strengths and weaknesses across peace operations, with a view to assessing whether adequate policies had been developed and implemented and whether there was appropriate monitoring and oversight. Thematic audits had been conducted on construction activities and engineering projects, contingent-owned equipment, asset management, use of consultants and individual contractors, procurement, and leave and attendance records. The Division had issued 88 audit reports and issued 430 recommendations, 26 of which had been classified as critical.

16. The Inspection and Evaluation Division had pursued a workplan based on a comprehensive risk-based assessment developed in consultation with the Department of Peacekeeping Operations and the Department of Field Support. The Division had issued two evaluation reports, one on the results of national police capacity-building by United Nations Police in the United Nations Stabilization Mission in Haiti, the United Nations Operation in Côte d'Ivoire and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, and another on the integration between peacekeeping operations and the United Nations country teams in Haiti, Côte d'Ivoire and the Democratic Republic of the Congo.

17. The Investigations Division had issued 159 reports, comprising 50 investigation reports, 72 contingent reports and 37 closure reports. The Division had also referred 139 matters to appropriate offices or entities for possible action. Some 44 per cent of all reports issued related to sexual exploitation and abuse.

18. The Division had conducted a major investigation into widespread allegations of sexual exploitation and abuse in Dekoa, Central African Republic. A total of 31 staff members had been deployed on a rotational basis to the country, where they had interviewed 435 complainants and witnesses. The findings had been transmitted to the Department of Field Support for referral to the relevant troop-contributing countries. The experience had prompted the Division to review how it investigated sexual exploitation and abuse, especially in terms of gathering testimonials and physical, medical and forensic evidence, and had led to the launch of a training course on forensic interviewing of minors, developed in partnership with a children's advocacy centre.

19. **Ms. Lute** (Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse), introducing the report of the Secretary-General entitled "Special measures for protection from sexual exploitation and abuse: a new approach" (A/71/818 and A/71/818/Corr.1) and its addendum (A/71/818/Add.1), said that eradicating sexual exploitation and abuse was one of the Secretary-General's key priorities. In his first week in office, he had established a task force charged with developing a new approach to preventing and responding decisively and swiftly to sexual exploitation and abuse. The problem of sexual exploitation and abuse was not restricted to uniformed personnel or the military, but was a system-wide issue.

20. The report was the result of intensive consultations with civil society and Member States, in particular troop- and police-contributing countries. It had been written in the first person to communicate the Secretary-General's personal, professional and ongoing commitment to ending the scourge of sexual exploitation and abuse. The report analysed the risk factors that could lead to sexual exploitation and abuse and focused on four main areas of action.

21. First, protecting the rights and dignity of victims must be the first priority. The Secretary-General would meet victims of sexual exploitation and abuse to hear from them directly and would appoint a victims' rights advocate. In the four peacekeeping operations where the highest numbers of cases of sexual exploitation and abuse had been reported, a person would be appointed to act as a victims' rights advocate. The aim was to improve advocacy, fast-track cases and ensure that child- and gender-sensitive pathways existed for every victim or witness to file complaints.

22. Second, the Organization must end impunity. The Secretary-General was determined to reconnect personnel to the core values of the Organization; improve reporting and management accountability; and create a culture of prevention whereby all individuals working under the United Nations flag were committed to reporting sexual exploitation and abuse. The Secretary-General intended to establish a circle of leadership made up of Heads of State and Government and call a high-level meeting on sexual exploitation and abuse on the margins of the general debate at the seventy-second session of the General Assembly.

23. Third, the Organization must engage directly and continuously with members of civil society and external partners, including those located in areas where the United Nations had field operations, to raise awareness and promote the sharing of best practices. The Secretary-General would establish a standing advisory board that would make recommendations for strengthening preventive measures, including by reviewing best practices, and track the Organization's performance.

24. Lastly, strategic communication for education and transparency must be improved. A system of public disclosure would be established, building on the excellent work of the Conduct and Discipline Unit of the Department of Field Support, with a view to creating a system-wide database for tracking allegations of misconduct, including those involving non-United Nations forces deployed under the United Nations flag.

25. **Mr. Ruiz Massieu** (Chair of the Advisory Committee on Administrative and Budgetary Questions), introducing the Advisory Committee's report on the triennial review of the rates and standards for reimbursement to Member States for contingent-owned equipment (A/71/872), recalled that the Working Group on Contingent-Owned Equipment had met in January 2017 to conduct a comprehensive review of reimbursement rates and standards for major equipment, self-sustainment and medical support services. In his report (A/71/802), the Secretary-General had indicated that implementing the recommendations of the Working Group would require additional resources of $13.595 million for the period from 1 July 2017 to 30 June 2018. The Advisory Committee recommended approval of the recommendations of the Working Group, as contained in the report of the Secretary-General. The Advisory Committee also recommended approval of the recommendation of the current Chair of the Working Group that a pre-session organizational meeting of the Working Group should be held in October 2019, prior to its substantive session in January 2020.

26. Introducing the Advisory Committee's report entitled "Special measures for protection from sexual exploitation and abuse: a new approach" (A/71/867), he said that the Advisory Committee was of the view that most of the measures set out in paragraph 79 of the report of the Secretary-General (A/71/818) constituted policy matters to be decided by the General Assembly. The Advisory Committee's observations and recommendations related mostly, therefore, to the estimated resource requirements and related funding arrangements set out in the addendum to the report (A/71/818/Add.1).

27. The Secretary-General had expressed his intention to use his commitment authority under General Assembly resolution 70/248 to absorb, within

the programme budget for the biennium 2016-2017, the cost of four temporary positions in the Office of the Special Coordinator for the second half of 2017. The Advisory Committee trusted that, should the Secretary-General decide to exercise that authority, he would ensure strict application of the nine principles contained in resolution 60/283.

28. With regard to the four Victims' Rights Advocate (P-5) positions to be located in peacekeeping missions, the Advisory Committee had been informed that, should the General Assembly approve the functions of those positions, proposals for dedicated positions would be included in future budget submissions. For the 2017/18 financial period, the Advisory Committee would be informed if the Controller decided to authorize the establishment of the four temporary positions in question and to absorb the related requirements within the approved resources.

29. The Advisory Committee trusted that future proposals submitted by the Secretary-General regarding the Office of the Special Coordinator or the Office of the Victims' Rights Advocate would include details such as proposed structures and rationale for their placement within the Organization, in addition to the number, grade levels, functions and reporting lines of the posts and positions proposed. Full justification should be provided, taking into account existing resources dedicated to dealing with the issue of sexual exploitation and abuse across the United Nations system. Furthermore, should the Secretary-General decide to submit such a proposal for approval by the General Assembly, consideration should be given to the application of a cost-sharing formula for apportioning costs among different funding sources, as was the case for other Organization-wide initiatives such as Umoja.

30. **Ms. Pereira Sotomayor** (Ecuador), speaking on behalf of the Group of 77 and China, said that the recommendations of the Working Group on Contingent-Owned Equipment would improve conditions and benefit uniformed personnel serving under the United Nations flag. While the report of the Working Group (A/C.5/71/20) had left some important issues unresolved, such as the question of the classification of armoured personnel carriers, her delegation recognized that the report was the result of intensive negotiations. The Group welcomed, therefore, the consensus achieved and fully supported the recommendations of the Working Group.

31. With regard to the report of OIOS (A/71/337 (Part II)), the Group was pleased to note that the 528 recommendations issued had been widely accepted by the relevant departments. The number of sexual exploitation and abuse cases opened in 2016 had risen by 226 per cent compared with 2015. While many cases had been closed, there were still a considerable number of investigations pending, which OIOS should resolve without delay. OIOS should also continue to monitor the implementation of its recommendations, improve the effectiveness and efficiency of its work, and collaborate closely with other agencies and departments.

32. The Group supported the Organization's zero-tolerance policy on sexual exploitation and abuse which must apply equally to all. The Group also welcomed the Secretary-General's commitment to ensuring that the Organization did not remain silent in the face of allegations and to adopting a victim-centred approach and putting in place effective preventive policies to address the root causes of sexual exploitation and abuse. The Group acknowledged the efforts of the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse to create a more unified, system-wide approach, increase engagement with Member States, identify root causes and risk factors, analyse gaps and weaknesses in current structures, and share best practices. Furthermore, the Group commended the measures taken by numerous troop-contributing countries to address sexual exploitation and abuse and called on the Organization to facilitate cooperation and the sharing of best practices and to play a greater role in boosting national capacities and learning.

33. Noting that the issue of sexual exploitation and abuse should be approached in a collective and holistic manner, with the engagement of all stakeholders, she said that a triangular cooperation mechanism could prove effective. The Group would participate constructively in the Committee's deliberations. In that connection, it would be interested to know how the Secretary-General intended to improve investigation mechanisms and establish a system-wide culture of accountability and what mechanisms were in place to handle sexual exploitation and abuse cases involving civilians and United Nations personnel. In particular, the Group would be interested to know how the Organization dealt with staff members found guilty of sexual exploitation and abuse.

34. She recalled the adoption of historic measures by the General Assembly, in its resolution 70/286, to improve transparency in the reporting of allegations of sexual exploitation and abuse, with no distinction made between United Nations uniformed personnel and non-United Nations forces operating under a Security Council mandate. However, reporting of sexual exploitation and abuse, including preventive,

enforcement and remedial actions, still lacked coordination and there was no clear information on the scope of the issue because the various reports and databases were not linked. There was a need, therefore, for improved collaboration across the system, in order to provide all stakeholders with timely and comprehensive information and improve the Organization's response to the issue.

35. The Group took note of the Secretary-General's proposals to establish an Office of the Victims' Rights Advocate and an Office of the Special Coordinator, comprising a total of 12 positions. The Group would examine how those proposals could contribute to efforts to develop a comprehensive framework to respond to sexual exploitation and abuse and end impunity.

36. **Ms. Bodenmann** (Switzerland), speaking also on behalf of Liechtenstein, said that the high number of allegations of sexual exploitation and abuse in field missions was of great concern. Given that such crimes were often underreported, the real figure was likely to be even higher. She therefore welcomed the Secretary-General's efforts to improve support for victims, who must receive protection, assistance and access to justice; there was much room for improvement in that regard. Sexual exploitation and abuse, whether or not the alleged perpetrator was under United Nations command, was a form of conflict-related sexual violence that must be addressed under the United Nations human rights framework.

37. The United Nations should adopt a unified, system-wide approach to combating sexual exploitation and abuse, covering uniformed personnel, United Nations officials and experts on mission. She recalled that in its previous report on combating sexual exploitation and abuse (A/71/643), the Advisory Committee had recognized the need for system-wide coherence and recommended that the Secretary-General should conduct a system-wide assessment of current capacities and future requirements and develop further proposals.

38. Switzerland and Liechtenstein strongly supported efforts to prevent sexual exploitation and abuse, investigate allegations and hold those responsible to account. In particular, it was extremely important to investigate allegations in order to give victims a sense of justice, deter future crimes and put an end to impunity. Investigations must be conducted in a professional manner, with full respect for due process. In order to truly hold all perpetrators to account, in line with the Organization's zero-tolerance policy, the full cooperation and commitment of Member States was required.

39. **Ms. Csernelházi** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia, the Republic of Moldova and Ukraine, said that combating sexual exploitation and abuse called for a system-wide response based on prevention, enforcement, victim support and accountability. She welcomed the efforts of the Secretary-General to work closely with Member States on structural, legal and operational measures to make zero tolerance a reality. The establishment of a dedicated task force was a clear sign of the Secretary-General's determination to adopt an ambitious new approach to preventing and responding to sexual exploitation and abuse.

40. The European Union attached great importance to United Nations peacekeeping operations. The protection of civilians was at the centre of peacekeeping and any act perpetrated against them was intolerable. The European Union supported a zero-impunity policy for all civilian, military and police personnel in United Nations and other international peace operations.

41. The report of the Secretary-General (A/71/818) highlighted many important issues. She noted with appreciation the proposed functions of the victims' rights advocate; the ongoing work to ensure better reporting of sexual exploitation and abuse across the United Nations system; the implementation of the whistle-blower policy; stronger engagement with civil society and external partners; the application of the human rights due diligence policy on United Nations support to non-United Nations security forces; and the strengthening of the Organization's investigative capacities.

42. Her delegation would be interested to learn more about the proposed voluntary compact between the Secretary-General and Member States. In that connection, her delegation would work with the Secretary-General and the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse to improve timely sharing of relevant information with troop-contributing countries with a view to ensuring accountability and facilitating national judicial proceedings.

43. The States members of the European Union were committed to ensuring that allegations were duly investigated, justice was served by the troop-

contributing countries concerned and victims received adequate assistance. Noting that women and girls were often the targets of sexual exploitation and abuse, she said that the adoption of Security Council resolution 2272 (2016) and General Assembly resolution 70/286 represented major steps forward.

44. The adoption of General Assembly resolution 71/278 was another opportunity to reinforce the system-wide nature of efforts to combat sexual exploitation and abuse. While her delegation was not opposed in principle to discussing sexual exploitation and abuse in the plenary Assembly, that should not preclude the mandates of governing structures such as the Special Committee on Peacekeeping Operations, the Fifth Committee, the Sixth Committee and the Security Council.

45. **Mr. Castro Cordoba** (Costa Rica) said that sexual exploitation and abuse were a clear violation of the fundamental rights of local populations, the very groups peacekeeping forces were responsible for protecting, and that such crimes tarnished the image of the Organization and its staff. While his delegation recognized that military, police and civilian personnel working in the field were exposed to high-risk environments, nothing could excuse the sexual exploitation and abuse of minors.

46. Costa Rica favoured a holistic approach, geared towards eliminating the root causes and risk factors of sexual exploitation and abuse, with a view to ultimately preventing such crimes from occurring in the first place, rather than a piecemeal approach focused on attempting to address individual cases once violations had occurred. There was a need for better coordination within the Organization, strong leadership and improved engagement with stakeholders.

47. He welcomed the report of the Secretary-General (A/71/818), in particular the focus on putting victims first and ending impunity. The reported increase in the number of cases of sexual exploitation and abuse was an indication that efforts to improve reporting mechanisms were improving access to assistance for victims. His delegation welcomed the Secretary-General's proposals, in particular those concerning the endorsement by the mandating bodies of a special protocol on the prevention of sexual exploitation and abuse as part of the mandates and budgets they approved, the establishment of policies and procedures for the collection of DNA, the centralization of coordination and monitoring, the effective use of information technology, better engagement with external partners and Member States, the adoption of best practices, and the establishment of procedures to withhold reimbursements in the event that investigations were not concluded.

48. The United Nations had a duty to investigate thoroughly allegations of sexual exploitation and abuse, end impunity and hold all those in the chain of command to account. The budgets for peacekeeping operations must include adequate human and financial resources for the protection of women and children. In addition, improved follow-up was essential to ensure that victims received proper support.

49. **Ms. Norman Chalet** (United States of America) said that her delegation welcomed the importance that the Secretary-General had placed on the issue of sexual exploitation and abuse, as demonstrated by the actions that he had taken in his first months in office. The report of the Secretary-General (A/71/818) set out a number of initiatives in the areas of prevention, transparency and accountability that would help the United Nations to end sexual exploitation and abuse and put in place a truly victim-centred approach. However, the report should have included a more thorough analysis of the impact and effectiveness of previous initiatives undertaken by the Secretary-General and an explanation of how the new proposals would fill the gaps identified and help victims of sexual exploitation and abuse.

50. Her delegation fully supported the Secretary-General's focus on victims and the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel. In recent years, Resident Coordinators had served as the focal points for executing the strategy through in-country networks of local implementing partners. Her delegation would be interested to know whether the strategy had been implemented adequately and how inter-agency cooperation would be maintained at the country level.

51. It was important to have an inter-agency, system-wide approach to enforcing the zero-tolerance policy. Although transparency and accountability had improved in the case of acts committed by United Nations peacekeepers, critical gaps remained elsewhere in the system. Her delegation welcomed the efforts of the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse, but noted that there was more to be done and called for enhanced and harmonized investigative capacities, increased transparency and improved reporting mechanisms for allegations of sexual exploitation and abuse concerning staff from United Nations funds and programmes.

52. She urged Member States to show their commitment to the zero-tolerance policy by empowering the Secretary-General to implement the initiatives outlined in his report. Member States must also hold themselves to the highest standards, be transparent and accountable, and take action whenever their nationals were accused of sexual exploitation and abuse.

53. **Ms. Stener** (Norway) said that sexual exploitation and abuse undermined the credibility of the United Nations. Her delegation welcomed the Secretary-General's intention to call a high-level meeting on sexual exploitation and abuse on the margins of the general debate at the seventy-second session of the General Assembly, with a view to committing Member States and the United Nations system to making zero tolerance for sexual exploitation and abuse a reality.

54. The report of the Secretary-General (A/71/818) was a good basis for improving the Organization's system-wide approach to preventing and responding to sexual exploitation and abuse. In particular, her delegation welcomed the decision to put the rights of victims first, which was in keeping with the spirit of General Assembly resolution 71/278. Norway called for the role of the Trust Fund in Support of Victims of Sexual Exploitation and Abuse to be expanded and urged Member States to contribute to it.

55. However, in the light of the serious deficits identified by the External Independent Review Panel, her delegation had hoped to see a clear strategy for assigning responsibilities, defining communication lines and procedures, and increasing accountability across the United Nations system. In addition, while she welcomed the increased focus on prevention and ending impunity, through risk assessments, mitigation measures, strengthened investigations and better reporting and follow-up, there should have been a more thorough elaboration of the relationship and division of labour between the United Nations and troop-contributing countries with respect to managing investigations and prosecutions and reporting on the outcomes.

56. Her delegation welcomed the strengthening of measures to ensure that United Nations partners and non-United Nations forces upheld the standards set for the United Nations, and supported the Secretary-General's intention to work with regional organizations to that end. Zero impunity was an attainable goal, given that the new approach had been developed in a spirit of transparency, inclusivity, trust and mutual respect. Nevertheless, a significant cultural shift would be needed to make the Organization's zero-tolerance policy a reality.

The meeting rose at 11.15 a.m.